

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

08	UNITED STATES OF AMERICA,)	
09	Plaintiff,)	Case No. CR02-0054-JCC-JPD
10	v.)	
11	KEITH MICHAEL POTTS,)	SUMMARY REPORT OF U.S.
12	Defendant.)	MAGISTRATE JUDGE AS TO
)	ALLEGED VIOLATIONS
)	OF SUPERVISED RELEASE

An initial appearance and hearing on a petition for violation of supervised release was held before the undersigned Magistrate Judge on February 28, 2006. The United States was represented by Assistant United States Attorney Jill Otake, and the defendant by Mr. Robert Chadwell. The proceedings were recorded on cassette tape.

The defendant had been charged and convicted of Social Security Fraud in violation of 42 U.S.C. § 408(a)(7)(B). On or about May 24, 2002, defendant was sentenced by the Honorable John C. Coughenour to twenty-one (21) months imprisonment to be followed by three (3) years of supervised release.

The conditions of supervised release included the requirements that the defendant comply with all local, state, and federal laws, and with the standard conditions. Special conditions imposed, but not limited to, were substance-abuse and mental-health treatment participation, consenting to search, no new credit, no possession of identification other than in true and legal name, financial disclosure, and restitution.

01 In a Petition for Warrant or Summons, dated May 5, 2004, and a Violation Report and
02 Request For Summons dated May 7, 2004, U.S. Probation Officer Keith Michael Potts asserted
03 the following violations by defendant of the conditions of his supervised release:

04 (1) Using cocaine on or before April 7, 2004, in violation of standard condition
05 number 7.


06 (2) Failing to submit to drug testing by failing to appear for scheduled testing on
07 April 23, 2004, and May 3, 2004, in violation of the special condition that he submit to testing
08 for the use of controlled substances.

09 The defendant was advised of the allegations and his rights. He has admitted to the
10 allegations, waived any rights to an evidentiary hearing as to whether they occurred.

11 I therefore recommend that the Court find the defendant to have violated the terms and
12 conditions of his supervised release as to violations number 1 and 2, and that the Court conduct
13 a hearing limited to disposition. A disposition hearing on these violations has been set before
14 the Honorable John C. Coughenour on March 10, 2006, at 9:00 a.m.

15 Pending a final determination by the Court, the defendant has been detained.

16 DATED this 2nd day of March, 2006.

17 
18 JAMES P. DONOHUE
19 United States Magistrate Judge

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21 cc: District Judge: Honorable John C. Coughenour
22 AUSA: Ms. Jill Otake
23 Defendant's attorney: Mr. Robert Chadwell
24 Probation officer: Mr. Steve McNickle
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